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j1054 U.S. PTO



11/05/01

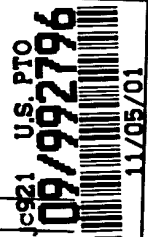
**UTILITY PATENT APPLICATION TRANSMITTAL**  
(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 042390P8122D  
(maximum 12 characters)

First Named Inventor Peng Cheng et al.

Title: VARIABLE TUNABLE RANGE MEMS CAPACITOR

Express Mail Label No. EL 672 746 592 US



**ADDRESS TO:** Assistant Commissioner for Patents  
Box Patent Application  
Washington, D. C. 20231

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ **Fee Transmittal Form (e.g., PTO/SB/17)**  
(Submit an original, and a duplicate for fee processing)
2. ☐ **Applicant Claims Small Entity Status. (37 CFR 1.27)**
3. ☒ **Specification (Total Pages 24)**  
(preferred arrangement set forth below)
  - Descriptive Title of the Invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference sequence listing, a table,  
or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4. ☒ **Drawings(s) (35 USC 113) (Total Sheets 9)**
5. ☒ **Oath or Declaration (Total Pages 4)**
  - a. ☐ Newly Executed (Original or Copy)
  - b. ☒ Copy from a Prior Application (37 CFR 1.63(d))  
(for Continuation/Divisional with Box 18 completed)
    - i. ☐ **DELETIONS OF INVENTOR(S)** Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
  - c. ☐ Unsigned.
6. ☐ **Application Data Sheet. (37 CFR 1.76)**
7. ☐ **CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)**
8. ☐ **Nucleotide and/or Amino Acid Sequence Submission**  
(if applicable, all necessary)
  - a. ☐ Computer Readable Form (CRF)
  - b. ☐ Specification Sequence Listing on:
    - i. ☐ CD-ROM or CD-R (2 copies); or
    - ii. ☐ paper
  - c. ☐ Statement verifying identity of above copies

2/15/01

# ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & documents(s))
10. ☐ a. Separate 37 CFR 3.73(b) Statement (where there is an assignee)
10. ☒ b. Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☒ a. Information Disclosure Statement (IDS)/PTO-1449
12. ☐ b. Copies of IDS Citations
13. ☒ Preliminary Amendment
14. ☐ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☐ Request and Certification under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☒ Other: Express Mail Certificate of Mailing

18A. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP)  
 Of Prior Application No.: 09/491,560 Examiner Coleman, W. Group Art Unit 2823  
 (which is a ☐ continuation/ ☐ divisional/ ☐ CIP of prior application no. \_\_\_\_\_)  
 which is a ☐ continuation/ ☐ divisional/ ☐ CIP of prior application no. \_\_\_\_\_ (List entire chain of priority)

Applicant(s): Also include a Preliminary Amendment to amend the specification to claim priority.  
 For CONTINUATION AND DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

18B. Statement under 37 CFR 3.73(b) for continuing application:

The undersigned states that \_\_\_\_\_ (name of assignee) is the assignee of the entire right, title, and interest in the accompanying patent application by virtue of an assignment recorded in the Patent and Trademark Office at Reel. No. \_\_\_\_\_ Frame No. \_\_\_\_\_ (or a copy of which is attached).

## 19. Correspondence Address

☐ Customer Number or Bar Code Label \_\_\_\_\_  
 or \_\_\_\_\_ (Insert Customer No. or Attach Bar Code Label here)  
☒ Correspondence Address Below

NAME Michael A. Bernadicou

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

ADDRESS 12400 Wilshire Boulevard

Seventh Floor

CITY Los Angeles STATE California ZIP CODE 90025-1026

Country U.S.A. TELEPHONE (408) 720-8300 FAX (408) 720-9397

Name (PRINT/TYPE): Michael A. Bernadicou

Registration No.: 35,934

Signature: Michael Bernadicou

Date: 11/5/01

## FEE TRANSMITTAL FOR FY 2002

TOTAL AMOUNT OF PAYMENT (\$) \$842.00

Complete if Known:

Application No. Not yet assigned  
 Filing Date Herewith  
 First Named Inventor Peng Cheng et al.  
 Group Art Unit Not yet assigned  
 Examiner Name Coleman, W.  
 Attorney Docket No. 042390P8122D

### METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 02-2666  
 Deposit Account Name \_\_\_\_\_

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

- ☐ Applicant claims small entity status. See 37 CFR 1.27

2. X Payment Enclosed: X Check  
 \_\_\_\_\_ Money Order  
 \_\_\_\_\_ Other

### FEE CALCULATION

#### 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Code	Fee (\$)	Code	Fee (\$)		
101	740	201	370	Utility application filing fee	<u>\$740.00</u>
106	330	206	165	Design application filing fee	_____
107	510	207	255	Plant filing fee	_____
108	740	208	370	Reissue filing fee	_____
114	160	214	80	Provisional application filing fee	_____
SUBTOTAL (1)					<u>\$ 740.00</u>

#### 2. EXTRA CLAIM FEES

		Extra Claims	Fee from below	Fee Paid
Total Claims	<u>21</u>	- 20** = <u>1</u>	X <u>\$18.00</u>	= <u>\$18.00</u>
Independent Claims	<u>4</u>	- 3** = <u>1</u>	X <u>\$84.00</u>	= <u>\$84.00</u>
Multiple Dependent			<u>\$280.00</u>	= <u>\$0.00</u>

\*\*Or number previously paid, if greater; For Reissues, see below.

Large Entity		Small Entity		Fee Description
Code	Fee (\$)	Code	Fee (\$)	
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) \$ 102.00

# FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

<u>Large Entity</u>		<u>Small Entity</u>		<u>Fee Description</u>	<u>Fee Paid</u>
<u>Fee Code</u>	<u>Fee (\$)</u>	<u>Fee Code</u>	<u>Fee (\$)</u>		
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
099	8,800	099	8,800	Request for inter parties reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	For filing a submission after final rejection (see 37 CFR 1.129(a))	
148	110	248	55	Statutory Disclaimer	
149	740	249	370	For each additional invention to be examined (see 37 CFR 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
195	300	195	300	Publication fee for early, voluntary, or normal pub.	
196	300	196	300	Publication fee for republication	
194	130	194	130	Request for voluntary publication or republication	
098	130	098	130	Processing fee under 37 CFR 1.17(i) (except provisionals)	
091	1,280	091	1,280	Acceptance of unintentionally delayed claim for priority	

Other fee (specify) \_\_\_\_\_

Other fee (specify) \_\_\_\_\_

**SUBTOTAL (3) \$ 0.00**

\*Reduced by Basic Filing Fee Paid

### SUBMITTED BY:

Typed or Printed Name: Michael A. Bernadicou

Signature: Michael Bernadicou Date: 11/5/01

Reg. Number: 35,934 Telephone Number: (408) 720-8300

11-26-01

A

11/05/01  
11054 U.S. PTO

JC921 U.S. PTO  
09/992796  
11/05/01

**EXPRESS MAIL CERTIFICATE OF MAILING**

"Express Mail" mailing label number: EL672746592US

Date of Deposit: November 5, 2001

I hereby certify that I am causing this paper or fee to be deposited with the United States Postal Service "Express Mail Post Office to Addressee" service on the date indicated above and that this paper or fee has been addressed to the Assistant Commissioner for Patents, Washington, D. C. 20231

TERESA EDWARDS

(Typed or printed name of person mailing paper or fee)

Teresa Edwards

(Signature of person mailing paper or fee)

November 5, 2001

(Date signed)

Serial/Patent No.: Not yet assigned Filing/Issue Date: Herewith  
Client: Intel Corporation  
Title: VARIABLE TUNABLE RANGE MEMS CAPACITOR

BSTZ File No.: 042390P8122D Atty/Secty Initials: MAB/SCC/te  
Date Mailed: November 5, 2001 Docket Due Date: \*\*\*

The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

- |                                                                                                |                                                                                         |                                                            |
|------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|------------------------------------------------------------|
| <input type="checkbox"/> Amendment/Response (____ pgs.)                                        | <input checked="" type="checkbox"/> Express Mail No. <u>EL672746592US</u>               | <input checked="" type="checkbox"/> Check No. <u>46296</u> |
| <input type="checkbox"/> Appeal Brief (____ pgs.) (in triplicate)                              | <input type="checkbox"/> _____ Month(s) Extension of Time                               | Amt: <u>\$842.00</u>                                       |
| <input type="checkbox"/> Application - Utility (____ pgs., with cover and abstract)            | <input checked="" type="checkbox"/> Information Disclosure Statement & PTO 149 (5 pgs.) | <input type="checkbox"/> Check No. _____                   |
| <input type="checkbox"/> Application - Rule 1.53(b) Continuation (____ pgs.)                   | <input type="checkbox"/> Issue Fee Transmittal                                          | Amt: _____                                                 |
| <input checked="" type="checkbox"/> Application - Rule 1.53(b) Divisional ( <u>24</u> pgs.)    | <input type="checkbox"/> Notice of Appeal                                               |                                                            |
| <input type="checkbox"/> Application - Rule 1.53(b) CIP (____ pgs.)                            | <input type="checkbox"/> Petition for Extension of Time                                 |                                                            |
| <input type="checkbox"/> Application - Rule 1.53(d) CPA Transmittal (____ pgs.)                | <input type="checkbox"/> Petition for _____                                             |                                                            |
| <input type="checkbox"/> Application - Design (____ pgs.)                                      | <input checked="" type="checkbox"/> Postcard                                            |                                                            |
| <input type="checkbox"/> Application - PCT (____ pgs.)                                         | <input checked="" type="checkbox"/> Power of Attorney ( <u>4</u> pgs.)                  |                                                            |
| <input type="checkbox"/> Application - Provisional (____ pgs.)                                 | <input checked="" type="checkbox"/> Preliminary Amendment ( <u>2</u> pgs.)              |                                                            |
| <input type="checkbox"/> Assignment and Cover Sheet                                            | <input type="checkbox"/> Reply Brief (____ pgs.)                                        |                                                            |
| <input checked="" type="checkbox"/> Certificate of Mailing                                     | <input type="checkbox"/> Response to Notice of Missing Parts                            |                                                            |
| <input checked="" type="checkbox"/> Declaration & POA ( <u>4</u> pgs.)                         | <input type="checkbox"/> Small Entity Declaration for Indep. Inventor/Small Business    |                                                            |
| <input type="checkbox"/> Disclosure Docs & Orig & Copy of Inventor's Signed Letter (____ pgs.) | <input type="checkbox"/> Transmittal Letter, in duplicate                               |                                                            |
| <input checked="" type="checkbox"/> Drawings: <u>9</u> # of sheets includes <u>12</u> figures  | <input checked="" type="checkbox"/> Fee Transmittal, in duplicate                       |                                                            |

☒ Other: Formal Drawings Submission, copies of Cited Art, Specification Figures, and DPOA as originally submitted on January 26, 2000.  
Express Mail Certificate of Mailing

**EL672746592US**

09992796 440501

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Peng Cheng et al.

Serial No.: Not yet assigned

Filed: Herewith

For: VARIABLE TUNABLE RANGE  
MEMS CAPACITORAssistant Commissioner for Patents  
and Trademarks  
Washington, D.C. 20231

Examiner: Not yet assigned

Art Unit: Not yet assigned

"Express Mail" mailing label number: EL672740592015Date of Deposit: November 5, 2001I hereby certify that I am causing this paper or fee to be  
deposited with the United States Postal Service "Express Mail Post  
Office to Addressee" service on the date indicated above and  
that this paper or fee has been addressed to the Commissioner  
of Patents and Trademarks, Washington, D.C. 20231TERESA EDWARDS  
(Typed or printed name of person mailing paper or fee)Teresa Edwards  
(Signature of person mailing paper or fee)November 5, 2001  
(Date signed)FORMAL DRAWINGS SUBMISSION

Enclosed herewith for submission in the United States Patent and  
Trademark Office are nine (9) sheets of formal drawings for the patent  
application referenced above.

If there are any further charges please charge them to Deposit Account  
No. 02-2666. A duplicate of this sheet is enclosed for that purpose.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR &amp; ZAFMAN LLP

Dated: 11/5, 2001Michael A. Bernadicon  
Michael A. Bernadicon  
Reg. No. 35,934

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